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February 15, 2023

**VIA ECF**

The Honorable Robert M. Levy  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11202

***Re: 1567 56th Street, LLC et al. v. Arthur Spitzer et al. – Case No. 22-CV-4873***

Dear Judge Levy:

This firm represents Defendant, PS Funding, Inc. (“PSF”), in the above-referenced action. We write to correct the record relating to certain materially inaccurate statements made with respect to PSF in the competing letters filed yesterday by counsel for Plaintiffs 1567 56<sup>th</sup> Street, LLC, 1569 56<sup>th</sup> Street, LLC and Shlomo Braun (“Plaintiffs”), and counsel for Defendants Rosa Funding LLC, Josh Weinfeld, and Isidor Bleier (the “Rosa Defendants”).

*First*, Plaintiffs incorrectly state that the spreadsheet PSF produced in response to the targeted discovery ordered by the Court shows that PSF wired two mortgage sums “significantly below the \$1.2 million purportedly due to Dekel Abstract on each mortgage.” *See* D.E. 27. This statement is demonstrably false. PSF’s document production clearly shows that it wired \$1,191,611.70 to Defendant Dekel Abstract LLC (“Dekel”) on each of the properties at issue.

*Second*, the Rosa Defendants incorrectly state that the PSF wires “were sent directly by [PSF] to the borrowers, namely to BSD Realty Holdings Inc., which previous records suggest belongs to Defendant Arthur Spitzer.” *See* D.E. 28. This statement is also demonstrably false. PSF made clear in its Objections and Responses to Plaintiffs’ Discovery Requests that it sent the two wires to Dekel as escrow/title agent for the transactions. Moreover, the documents produced by Dekel confirm it received the wires from PSF and then Dekel distributed the money to other parties.



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We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Ryan T. Becker'.

Ryan T. Becker